

REMARKS

In the Office Action, the Examiner rejected claims 22 and 23 under 35 USC 102, and claims 1-21 under 25 USC 103. These rejections are fully traversed below.

Claims 1, 4-6, 9, 16 and 22-23 have been amended. Claims 2, 3, 7 and 8 have been cancelled. Claims 24-38 have been added. Thus, claims 1, 4-6 and 9-38 are pending in the application. Reconsideration of the application is respectfully requested based on the following remarks.

Claim Rejections – 35 USC 102

Claims 22 and 23 have been rejected under 35 U.S.C. 102(b) as being anticipated by *Tanitsu* (German Patent #DE 10062579/US6,741,394).

The sections/Figure relied upon by the Examiner appear not to teach or suggest, "...generating a gas stream that blocks contaminants from reaching the surface of the front collection lens and that transports contaminants away from the surface of the front collection lens during at least said exposing..." as required by amended claim 22 and therefore the rejection should be withdrawn.

The sections/Figure relied upon by the Examiner appear not to teach or suggest, "... the series of optical components including a front collection lens that is the optical component closest to the semiconductor surface; and a transparent cover disposed proximately to the front collection lens between the front collection lens and the semiconductor surface to protect the front collection lens from contamination ..." as required by amended claim 23 and therefore the rejection should be withdrawn.

Claim Rejections – 35 USC 103

One skilled in the art would not be motivated to combine the cited references. While Uto is directed at inspection systems Arakawa and Engelsberg are not. Arakawa is directed at an exposure system. Engelberg is directed at removal or surface contaminants. These are in very

different fields of endeavors. Unlike inspections systems, which do not affect the substrate to be inspected, both Arakawa and Engelsberg affect a change at a substrate either by creating a pattern or stripping surface contaminants. Although one of ordinary skill in the art is presumed to be aware of all prior art in the field to which the invention pertains (e.g., inspection systems), he is not presumed to be aware of prior art outside that field of the problem to be solved, i.e., nonanalogous art. Therefore, the rejections are improper and should be withdrawn.

Furthermore, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. It should be emphasized that the Federal Circuit has repeatedly warned against using the applicant's disclosure as a blueprint to reconstruct the claimed invention out of isolated teachings in the prior art. Accordingly, the rejections are improper and should be withdrawn.

Claims 1-3, 7-9, 12-15 and 21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Uto* (6,831,737) in view of *Arakawa* (6,757,048).

In contrast to both references, claim 21 (and its dependents) specifically requires, "...the cover defining at least in part a channel within in which a gas stream is created for the purpose of preventing particles from depositing on the front lens." *Uto* is completely silent to a cover and gas streams, and while *Arakawa* may disclose a cover (3 or 35), *Arakawa* does not teach or suggest a cover with a channel. The Examiner is encouraged to review Fig. 4A-4E of the present invention to see an example of a channel. Accordingly, the rejection is unsupported by the art and should be withdrawn.

In contrast to both references, claim 1 (and its dependents) specifically requires, "...the gas purge system including a substantially planar cover having an opening disposed along the optical axis of the optical component..." *Uto* is completely silent to a cover and gas streams, and while *Arakawa* may disclose a cover (3 or 35), *Arakawa* does not teach or suggest a planar cover. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Although the rejections to the dependent claims should be withdrawn for at least the reasons given above, it should be noted that they provide additional language that is unsupported by the cited art.

Claims 4-6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Uto* and *Arakawa* and further in view of *Engelsberg* (5,531,857).

Engelsberg does not overcome the deficiencies of *Uto* and *Arakawa* (*Engelsberg* does not teach a cover) and therefore the rejections are improper for at least the same reasons as given above.

Claims 10 and 11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Uto* and *Arakawa* and further in view of *Hershel* (4,391,494).

Hershel does not overcome the deficiencies of *Uto* and *Arakawa*, and therefore the rejections are improper for at least the same reasons as given above.

Claims 16-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Uto* in view of *Engelsberg*.

In contrast to both references, claim 16 (and its dependents) specifically requires, "...a means for flowing a gas stream in front of an exposed optical surface of the optical inspection system so as to prevent contaminants from adversely effecting the exposed optical surface of the optical inspection system..." *Uto* is completely silent to flowing a gas stream in front of an exposed optical surface of the optical inspection system. And while *Engelberg* may disclose bathing a substrate in a non reactive gas environment, *Engelberg* does not teach or suggest flowing a gas stream in front of an exposed optical surface of an optical inspection system. In *Engelberg* the quartz window is not part of an inspection system, but rather a contaminant removing assembly. It should be emphasized that *Engelberg* is purposefully creating air contamination, which is the exact opposite the teaching of the present invention, which is trying to limit air contamination. Accordingly, the rejection is unsupported by the art and should be withdrawn.

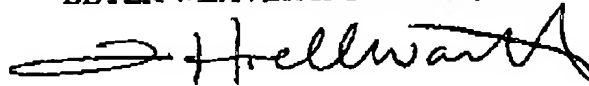
Although the rejections to the dependent claims should be withdrawn for at least the reasons given above, it should be noted that they provide additional language that is unsupported by the cited art.

SUMMARY

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



Quin C. Hoellwarth
Reg. No. 45,738

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300

KLA1P083

- 11 -